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of the Painters & Floorcoverers Joint Committee, et al.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \* \* \*

BOARD OF TRUSTEES OF THE  
PAINTERS AND FLOORCOVERERS  
JOINT COMMITTEE, *et al.*,

Plaintiffs,

vs.

SUPER STRUCTURES INC., a  
Nevada corporation dba SUPER  
STRUCTURES, *et al.*,

Defendants.

CASE NO.: 2:18-cv-01364-GMN-GWF

**STIPULATION AND ORDER TO  
EXTEND DISCOVERY CUTOFF**

The Plaintiffs, Board of Trustees of the Painters and Floorcoverers Joint Committee, et al. ("Plaintiffs"), by and through their attorneys, Christensen James & Martin, Chtd., and Defendants, Super Structures Inc., Super Structures, Inc., Tracey Reynolds, Robert Reynolds, and Western National Mutual Insurance Company ("Defendants"), by and through their attorneys, Cook & Kelesis, Ltd., pursuant to the Local Rule 26-4, hereby stipulate and agree as follows:

1. Discovery Completed. Plaintiffs and Defendants provided each other with Rule 26(a) Initial Disclosures and exchanged initial and several written discovery requests (Interrogatories, Requests for Production, and Requests for Admission). Additionally, the Plaintiffs subpoenaed and received documents from the State of Nevada Department of

1 Employment, Training and Rehabilitation, Employment Security Division, which have been  
2 shared with the Defendants. Plaintiffs have taken the depositions of Tracey and Robert  
3 Reynolds. The Defendants have taken depositions of Tom Pfundstein, Christine Fabry,  
4 Robert Campbell, and Kirk Konys. The Plaintiffs have produced an initial computation of  
5 damages prepared by Berry & Co., CPAs, which specializes in payroll compliance reviews  
6 for ERISA trust funds, based on the payroll records produced by the Defendants.

7 2. Discovery Remaining – Defendants are currently preparing responses to  
8 Plaintiffs’ Third Set of Requests for Production of Documents, which was served on March  
9 27, 2019. Defendants have requested a one week extension to respond to these requests,  
10 which the Plaintiffs have granted. Plaintiffs may have follow up requests depending on the  
11 responses to the Requests for Production. Additionally, in response to prior requests for  
12 production, the Defendants offered to make certain records available for inspection that were  
13 too voluminous to copy and produce - i.e. project agreements, correspondence, and time  
14 cards. Plaintiffs and Defendants are working to schedule a time when those documents may  
15 be reviewed. Further, the Defendants intend to conduct a third party deposition of the person  
16 most knowledgeable for Glaziers Local 2001.

17 3. Reasons Deadline Not Satisfied. The Parties have been actively engaged in  
18 discovery through the discovery period. However, the nature of this case presents significant  
19 factual issues which must be pursued in order to effectively prosecute and defend the action.  
20 Certain of these issues were identified in depositions conducted after the Parties’ Joint  
21 Interim Status Report. This has caused the Parties to be unable to complete the remaining  
22 discovery within the current deadline of May 17, 2019. However, the Parties believe that all  
23 remaining matters will be completed with a minimal thirty day extension.

24 4. Proposed Schedule. The current discovery cut-off is May 17, 2019. The  
25 Parties propose that this be extended thirty days to Monday, June 17, 2019.

26 [SIGNATURES ON NEXT PAGE]  
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1 Dated: April 26, 2019.

2 CHRISTENSEN JAMES & MARTIN

COOK & KELESIS, LTD.

3 By: /s/ Wesley J. Smith

By: /s/ Marc P. Cook

4 Wesley J. Smith, Esq.

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*Attorneys for Plaintiffs*

*Attorneys for Defendants*

8  
9 IT IS SO ORDERED

10 

11 United States Magistrate Judge

12  
13 Dated: April 29, 2019

14 SUBMITTED BY:

15 CHRISTENSEN JAMES & MARTIN

16 By: /s/ Wesley J. Smith

17 Wesley J. Smith, Esq.

18 *Attorneys for Plaintiffs*